

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Dongguan Yuhong ShenXuan Tech Co., Ltd,

Plaintiff,

v.

Usmit,

Defendant.

CASE NO. 23-cv-00268

Judge: Honorable Franklin U. Valderrama

Magistrate: Honorable Susan E. Cox

**MOTION FOR LEAVE TO
SERVE THE JULY 20 MINUTE ENTRY IN ALTERNATIVE MEANS**

Plaintiff Dongguan Yuhong ShenXuan Tech Co., Ltd (“Plaintiff”), by and through its attorneys, files this motion, asking this honorable court to grant Plaintiff leave to serve the Defendant in alternative means:

1. Plaintiff brought this current lawsuit against Defendant John Doe for Declaratory Judgment of Copyright Non-Infringement[Dkt. No. 1]. Plaintiff owns and operates an Amazon store “YuHongShenXuan,” the Merchant Token of this store is A4ETHVB4UUJ72. Plaintiff mainly sells one product using this store, a Nose Hair Trimmer under the brand name ZORAMI. Plaintiff’s products were all purchased from a manufacturer in China. This manufacturer designed this nose hair trimmer clipper independently since 2014 and started to manufacture this product as early as 2017. This product is sold on Amazon.com under many different brand since 2018.

2. Plaintiff has presented the Court with a detailed factual background in Plaintiff’s motion for Temporary Restraining Order. The fact is clear and simple, Defendant filed multiple copyright infringement complaints to Amazon, alleging Plaintiff’s 2018 product infringed

Defendant's 2020 copyright. Defendant's complaint led to the delisting of Plaintiff's store's ASINs. In exchange for Defendant to withdraw its fraudulent copyright infringement complaints, defendant extorted Plaintiff for money. Through the entire extortion process, Defendant has never revealed his real identity.

3. The real identity of the Defendant was unknown. Plaintiff then subpoenaed Amazon and Amazon provided Plaintiff with Defendant's pseudonym and contact information. Ex. A. Defendant's pseudonym is TY and the contract information is qinli-us@outlook.com and timerya8743@outlook.com. The store associated with this pseudonym is Usmit. And the phone number associated with this account is +86 159-9969-8699.

4. After receiving the Court's order, Plaintiff made diligent efforts to locate Defendant's real address by locating Defendant's Amazon store "Usmit," as every Amazon store is required to have an real address. Unfortunately, this attempt was unsuccessful, likely due to Defendant's closure of its store. This action by Defendant was anticipated, as the Preliminary Injunction order effectively put an end to its means of blackmailing Plaintiff.

5. Subsequently, Plaintiff tried to find Defendant's address by calling the provided cellphone number. Regrettably, the owner of that number did not answer the undersigned phone call. In an additional effort, Plaintiff retained a Chinese lawyer to call the same number, but the owner stated that she is unaware of the litigation. The owner subsequently refused to answer this Chinese lawyer's phone call and text. Ex. B.

6. Lastly, Plaintiff tried to locate the Chinese company that associates with this phone number, the search result came back with no luck.

7. Plaintiff has made exhaustive efforts to obtain Defendant's address but to no avail. As a result, Plaintiff respectfully requests the Court's permission to serve the Defendant with the July 20 Minute Entry through the following means:

(1) Email: timerya8743@outlook.com and qinli-us@outlook.com; and

(2) Text message to +86 159-9969-8699.

Dated: July 24, 2023

Respectfully Submitted,

/s/ Ruoting Men

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, Ruoting Men, an attorney, hereby certify that on July 24, 2023, I caused a true and correct copy of the foregoing document to be served via the Court's ECF system upon all counsel of record.

Dated: July 24, 2023

/s/ Ruoting Men
Ruoting Men